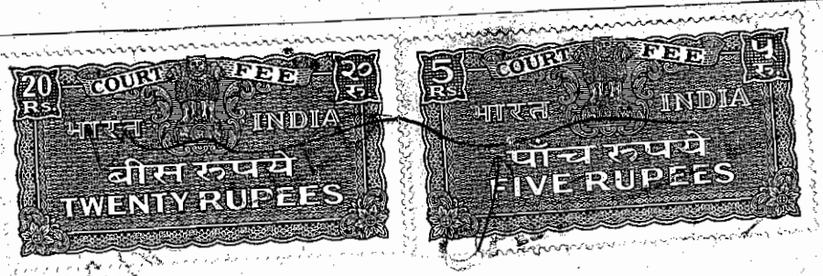

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Comp
13/12 (2)

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR.

Misc. Petition No. 4344 /1991.

Petitioner ; Jila Sahkari Kendriya Bank Maryadit, Raipur, through Shri R.S.Bharadwaj, Managing Director.

- Versus-

Respondents: 1. Municipal Corporation, Raipur ~~and another~~
through its Commissioner.

2. The State of Madhya Pradesh, through Director Local Self Government, Bhopal.

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR GRANT OF A WRIT IN THE NATURE OF MANDAMUS CERTIORARI ETC.

XI-HC-78

(43)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4344/91 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	~~30.8.2005~~	

Shri D.K. Tiwari, counsel for the petitioner.

Shri Ashish Shrivastava, counsel for respondent No.1.

Shri Sandeep Dubey, Govt. Adv. for respondent No.2.

Heard.

By the instant petition the petitioner has requested for quashment of notice (Annexure P-13) dated 27.11.1991 issued by respondent No.1 whereby the petitioner has been asked to deposit the tax amount of building as mentioned in the said bill for the year 1991-92 and further respondent No.1 be directed to assess the tax in accordance with law after complying with the directions issued by learned Additional District Judge vide Annexure P-12.

The main grievance of the petitioner in this petition is that respondent No.1 has not complied with the order passed by the Additional District Judge on 8.10.1991 whereby learned Additional District Judge allowed the appeal and directed respondent No.1 to determine the tax after hearing the petitioner and the impugned notice (Annexure P-13) has been issued on 27.11.1991.

From the above facts the grievance made by the petitioner seems to be just, fair and reasonable, before sending the bill dated 27.11.1991 imposing building tax on the petitioner the respondent Corporation was required to atleast hear the petitioner about the objections raised by him and to decide the matter in accordance with law. Therefore, the petition is allowed, impugned notice dated 27.11.1991 (Annexure P-13) is hereby quashed and respondent No.1-Corporation is directed to decide the tax matter of the petitioner after considering the objections raised by him and after hearing the petitioner as directed by learned Additional District Judge vide order dated 8.10.1991.

Certified copy as per rules.

Sd/-
L.C.BHADOO
Judge